



Reprinted
February 2, 2016

HOUSE BILL No. 1247

DIGEST OF HB 1247 (Updated February 1, 2016 5:42 pm - DI 87)

Citations Affected: IC 7.1-3; IC 7.1-4.

Synopsis: Alcoholic beverage issues. Provides that the department of natural resources (department) may apply for a three-way permit for a state park. Provides that the alcohol and tobacco commission shall issue a permit to the department for a state park without: (1) publication of notice or investigation before a local board; and (2) regard to quota provisions. Provides that an annual permit fee for a three-way permit for a state park is \$250.

Effective: July 1, 2016.

**Eberhart, Dermody, Brown C,
Summers**

January 11, 2016, read first time and referred to Committee on Public Policy.
January 28, 2016, amended, reported — Do Pass.
February 1, 2016, read second time, amended, ordered engrossed.

HB 1247—LS 6938/DI 87



Reprinted
February 2, 2016

Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1247

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-3-17.8 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2016]:
- 4 **Chapter 17.8. State Park Liquor Permits**
- 5 **Sec. 1. The department of natural resources may apply for a**
- 6 **three-way permit for one (1) or more state parks. A three-way**
- 7 **permit for a state park may be a single permit, even though more**
- 8 **than one (1) area within the state park constitutes the licensed**
- 9 **premises of the permit.**
- 10 **Sec. 2. A permit issued under this chapter is not subject to:**
- 11 **(1) IC 7.1-3-9-10;**
- 12 **(2) IC 7.1-3-21-1;**
- 13 **(3) 905 IAC 1-27-1; and**
- 14 **(4) 905 IAC 1-27-4.**
- 15 **Sec. 3. Separate areas within a state park are not subject to**
- 16 **IC 7.1-5-5-7.**
- 17 **Sec. 4. Upon application, the commission shall issue a permit to**

HB 1247—LS 6938/DI 87



the department of natural resources for a state park without:

(1) publication of notice or investigation before a local board;
and

(2) regard to the quota provisions of IC 7.1-3-22.

Sec. 5. Except as provided in sections 2 and 3 of this chapter, an entity that operates on state park property under a permit issued by the commission to:

(1) the department of natural resources under this chapter; or

(2) the entity under this article;

shall operate within the park property in accordance with the provisions of this title that regulate the sale and use of alcoholic beverages, e-liquid (as defined in IC 7.1-7-2-10), and tobacco products (as defined in (IC 7.1-6-1-3)).

SECTION 2. IC 7.1-4-4.1-9, AS AMENDED BY P.L.224-2005, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) This section applies to the following biennial permits:

- (1) Beer retailer's permit.
- (2) Liquor retailer's permit.
- (3) Wine retailer's permit.
- (4) One-way permit.
- (5) Two-way permit.
- (6) Three-way permit.
- (7) Airplane beer permit.
- (8) Airplane liquor permit.
- (9) Airplane wine permit.
- (10) Boat beer permit.
- (11) Boat liquor permit.
- (12) Boat wine permit.
- (13) Dining car beer permit.
- (14) Dining car liquor permit.
- (15) Dining car wine permit.
- (16) Hotel seasonal permit.

(b) The commission shall charge a single fee for the issuance of any combination of retailer's permits issued for the same location or conveyance.

(c) Except as provided in subsection (d), an annual permit fee in the following amount is imposed on a retailer:

- (1) Five hundred dollars (\$500), if the retailer serves only beer or only wine.
- (2) Seven hundred fifty dollars (\$750), if the retailer serves both beer and wine but no liquor.



- 1 (3) One thousand dollars (\$1,000), if the retailer serves beer,
2 wine, and liquor.
3 **(d) An annual permit fee for a three-way permit issued to a state**
4 **park under IC 7.1-3-17.8-1 is two hundred fifty dollars (\$250).**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1247, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1247 as introduced.)

DERMODY

Committee Vote: yeas 12, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1247 be amended to read as follows:

Page 1, line 5, delete "(a)".

Page 1, line 10, delete "(b)" and insert "**Sec. 2.**".

Page 1, line 10, delete "section" and insert "**chapter**".

Page 1, line 15, delete "(c)" and insert "**Sec. 3.**".

Page 1, line 17, delete "(d)" and insert "**Sec. 4.**".

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"Sec. 5. Except as provided in sections 2 and 3 of this chapter, an entity that operates on state park property under a permit issued by the commission to:

(1) the department of natural resources under this chapter; or

(2) the entity under this article;

shall operate within the park property in accordance with the provisions of this title that regulate the sale and use of alcoholic beverages, e-liquid (as defined in IC 7.1-7-2-10), and tobacco products (as defined in (IC 7.1-6-1-3))."

(Reference is to HB 1247 as printed January 29, 2016.)

EBERHART

